



WEB COPY

WP No. 39955 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-11-2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

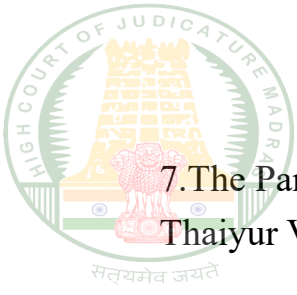
**WP No. 39955 of 2025
and W.M.P.No.44882 of 2025**

1. S.M. Mohamed Hidayathullah
S/o S.M. Sathar Fazi Enclave, Pattinathamman
Koil Street, Thaiyur Village, Thiruporur Taluk,
Chengalpattu District

Petitioner(s)

Vs

1. The District Collector
Chengalpattu, Chengalpattu District
- 2.The District Revenue Officer (dro)
Chengalpattu, Chengalpattu District
- 3.The Project Director (district Rural Development
Agency
Chengalpattu, Chengalpattu District
- 4.The Tahsildar
Thiruporur Taluk Thiruporur, Chengalpattu District
- 5.The Assistant Director, (panchayat)
Chengalpattu, Chengalpattu District
- 6.The Block Development Officer (village Panchayat)
Thiruporur, Thiruporur Taluk, Chengalpattu District



7.The Panchayat President

Thaiyur Village, Thaiyur, Chenglapattu District

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Respondent(s)

For Petitioner(s): M/s R. Rajarajan

For Respondent(s): Mr.L.S.M.Hasan Fizal Agp For
Rr1 To 5.
Mr.A.N.Purushothaman Spl.Gp
For Rr6 And 7.

ORDER

The petitioner had purchased a property to an extent of 1500 sq.ft, comprised in Survey No.246/1A3, situated at Thaiyur Village, Thiruporur Taluk, Chengalpattu District, from one, S.Ramalakshmi. A sale deed was executed in his favour on 28.08.2024, by the duly authorized power agent of S.Ramalakshmi, one K.Parthiban. The petitioner, right from the date of execution of the deed till date, has been in possession and enjoyment of the same.

2.Abutting the property, there is a twelve feet road, which ends in a cul-de-sac. The petitioner sought for, and obtained regularization of his plot. On a visit to his property, he was shocked to notice that the respondents have laid a



road in such a manner, that it started to encroach upon a portion of the petitioner's property. The petitioner pleads that his right cannot be encroached upon by the State without resorting to due process of law and consequently, he is before this Court.

3.As the petitioner's property has been regularized by the respondents, and has been approved in the layout, I called upon the Tahsildar to conduct a survey of the petitioner's property, along with a competent surveyor and submit a report.

4.Though initially there was some delay, finally, the Tahsildar had surveyed the property and has submitted a report. A perusal of the report shows that, an extent of 43 sq.ft belonging to the petitioner's property has been encroached upon and a paver block road was laid over the same by the 7th respondent. When the powerful State itself is not entitled to grab the property belonging to a citizen, except otherwise in accordance with law, a unit of the State, namely, the Panchayat, certainly cannot do so. The action of the 7th



respondent in encroaching upon the petitioner's property is unlawful.

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5. There shall be a direction to the 6th respondent to remove the area encroached upon by the 7th respondent, viz., the paver block to an extent of 43 sq.ft, which has been laid over by the petitioner's property, within a period of one (1) week from today. The 6th respondent is entitled to approach the jurisdictional police, in case there are any obstructions while performing his duty of restoring the petitioner's property to its original position.

6. In the result, this Writ Petition is disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

7. Call this case 'For Reporting Compliance' on 25.11.2025.

13-11-2025

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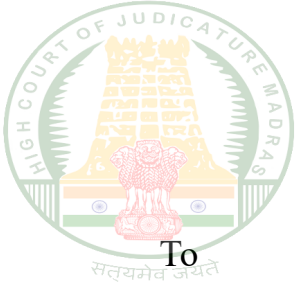
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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V.LAKSHMINARAYANAN J.

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